BEFORE THE APPEALS BOARD FOR THE KANSAS DIVISION OF WORKERS COMPENSATION

| WILLIAM HOLMAN Claimant |) |
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| VS. |))) Docket No. 184,214 |
| BASIC INDUSTRIES, INC. Respondent |) |
| AND | |
| INSURANCE COMPANY OF NORTH AMERICA Insurance Carrier |)) |

<u>ORDER</u>

On November 16, 1995, the appeal of the respondent of the Award of Administrative Law Judge John D. Clark of July 21, 1995, and the Nunc Pro Tunc Order of July 26, 1995 came regularly on for oral argument before the Workers Compensation Appeals Board.

APPEARANCES

Claimant appeared by and through his attorney, Michael G. Coash of El Dorado, Kansas. Respondent and its insurance company appeared by and through their attorney, Vincent A. Burnett of Wichita, Kansas. There were no other appearances.

RECORD

The record as specifically set forth in the Award of the Administrative Law Judge is herein adopted by the Appeals Board.

STIPULATIONS

The stipulations as specifically set forth in the Award of the Administrative Law Judge are herein adopted by the Appeals Board.

ISSUES

(1) What, if any, is the nature and extent of claimant's injury or disability?

(2) Is claimant entitled to unauthorized and/or future medical?

FINDINGS OF FACT AND CONCLUSIONS OF LAW

At oral argument on November 16, 1995, the parties appeared before the Appeals Board and stipulated to the dismissal of this matter. The attorney for claimant and attorney for respondent agreed, in light of the Order of November 2, 1995, issued by Administrative Law Judge John D. Clark, that the issues raised before the Appeals Board on appeal were moot.

WHEREFORE, it is the finding, decision, and order of the Appeals Board that the appeal of this matter should be, and is hereby, dismissed.

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| Dated this day of November 1995. |
| BOARD MEMBER |
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c: Michael G. Coash, El Dorado, Kansas Vincent A. Burnett, Wichita, Kansas John D. Clark, Administrative Law Judge Philip S. Harness, Director

IT IS SO ORDERED